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11 *Attorneys for Defendants*
12 *John Duff III, Henry Smith, and*
13 *Maxwell Roux*

14 UNITED STATES DISTRICT COURT
15 DISTRICT OF NEVADA

16 KRISHNA OKHANDIAR, an individual, and
17 REMILIA CORPORATION LLC, a Delaware
limited liability company,

18 Plaintiffs,

19 v.

20 JOHN DUFF III, an individual,
21 HENRY SMITH, an individual, and
MAXWELL ROUX, an individual,

22 Defendants.
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Case No. 2:23-cv-1409- APG-EJY

**DECLARATION OF MAXWELL
ROUX IN SUPPORT OF
DEFENDANTS' MOTION TO DISMISS
PURSUANT TO FED. R. CIV. P. 12(b)(2)
& 12(b)(3), OR ALTERNATIVELY TO
TRANSFER PURSUANT TO 28 U.S.C.
§§ 1406(a) OR 1404(a)**

DECLARATION OF MAXWELL ROUX

I, Maxwell Roux, declare:

1. I am over the age of eighteen and make this declaration based on my personal knowledge. I submit this declaration in support of Defendants' Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(2) or 12(b)(3), or Alternatively to Transfer Pursuant to 28 U.S.C. §§ 1406(a) or 1404(a). I am competent to testify to the matters set forth in this declaration, and would do so competently if called to testify thereto.

2. I am a citizen and resident of the State of Montana. My permanent residence has always been in the City of Great Falls, Montana.

3. I have never lived in the State of Nevada. I have never had any bank accounts or owned any personal or real property located in Nevada.

4. I have only been to Nevada once, which was for a total of two days when I was passing through on a road trip in 2019. At that time, I did not know and had never spoken to Krishna Okhandiar.

5. I first met Krishna Okhandiar (who at that time went by the name Rohit Okhandiar and various pseudonyms such as Charlotte Yang, Charlie Yang, and Miya) online in late 2019. At that time, I was staying temporarily in West Lafayette, Indiana. We met in person for the first time in Chicago, Illinois, in May 2021, which is where Mr. Okhandiar was living. This is the first time that I recall discussing the prospect of working on a joint NFT art-related venture together with Mr. Okhandiar.

6. The second time I met Mr. Okhandiar was in November 2021 in New York City for a Remilia-related event, Milady Rave.

7. In May 2022, I traveled to Lisbon, Portugal, where Mr. Okhandiar and I met with Henry Smith and John Duff, two of the other founding members of the Remilia venture. We discussed the venture's projects and goals at the short-term rental property where we were staying and at various restaurants.

8. Later in May 2022, I traveled to Warsaw, Poland. Mr. Okhandiar also traveled to Poland, where we discussed my work on and the future launch of a project we refer to as Remilios,

1 as well as each of the founding member's ownership interest in our venture. Mr. Okhandiar left
2 Poland, but I stayed through the end of 2022. Mr. Okhandiar sent me a copy of a Non-Disclosure
3 Agreement in November 2022 while I was in Poland, and I signed it while I was there. I then
4 returned to Great Falls, Montana

5 9. After a brief stay in Montana, I took a trip to Japan in late January 2023, where I
6 met with Mr. Smith and Mr. Okhandiar in Tokyo. This trip was not primarily for Remilia business,
7 although we did occasionally and informally discuss Remilia's projects. It was around this time
8 that I recall Mr. Okhandiar informing me that he had incorporated a company called Remilia
9 Corporation that I believed was to be the agent of our joint business venture, and which I believe I
10 am a founding member and owner.

11 10. In April 2023, the founding members of Remilia (excluding Bruno Nispel)
12 promoted and hosted an event in Tokyo called Remilia-Con 2023, which was a series of events to
13 celebrate the success of our venture and the launch of a project we refer to as Bonkler. After
14 Remilia-Con 2023, we traveled to Jinju, South Korea, to attend Mr. Okhandiar's wedding. I have
15 not met with or seen Mr. Okhandiar since his wedding.

16 11. From May 2023 to June 2023, I returned to Montana. Since June 2023, I have
17 periodically traveled to Poland to visit my girlfriend, but still consider Montana my state of
18 permanent residence. On September 15, 2023, I was personally served with the summons and
19 complaint in this matter at my Great Falls, Montana home.

20 12. Other than in the few instances described above, I have not met with Mr. Okhandiar
21 in person at any other time, and I have never met with him in Nevada. The vast majority of my
22 communications with Mr. Okhandiar have been by texts, instant messages, and through various
23 chat/messaging applications, and occasionally by voice/phone conference.

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CERTIFICATE OF SERVICE

I hereby certify that on January 18, 2024, I electronically filed the foregoing **DECLARATION OF MAXWELL ROUX IN SUPORT OF DEFENDANTS' MOTION TO DISMISS PURSUANT TO FED. R. CIV. P. 12(b)(2) & 12(b)(3), OR ALTERNATIVELY TO TRANSFER PURSUANT TO 28 U.S.C. §§ 1406(a) OR 1404(a)** with the Clerk of Court for the U.S. District Court, District of Nevada by using the Court's CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

/s/ Lyndsey Luxford
An employee of SNELL & WILMER L.L.P.

4853-5705-2830

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